

## **DOUGLAS BOROUGH COUNCIL ALLOTMENTS COMMITTEE**

### **RULES**

1. The Allotments Act 1928 will apply to the letting of allotments to and by Douglas Borough Council Allotments Committee ("the Committee") and any Rules relating to the allotments drawn up by the Committee. These Rules should be read in conjunction with the allotment holders' tenancy agreement and any other Regulation or requirement demanded by enactment, statute instrument or local authority byelaw.
2. The Allotments Committee, under the terms of the Allotments Act 1928, shall consist of four Members of Douglas Borough Council and two independent volunteer representatives.
3. Those eligible for an allotment are to be resident in Douglas and the Committee reserves the right to accept or reject applications for a particular plot or plots, to determine which plot or plots should be allocated in response to that application and whether an application is to be accepted in respect of the whole area applied for or for part only of that area.
4. In the event of all allotments being allocated, the Society shall maintain a waiting list in chronological order of listing, those having been on the list for the longest period of time being offered a plot first.
5. Each allottee shall pay immediately as and when due all such amounts as the Committee from time to time determines are due by way of charges for plots, membership fees, deposits or otherwise. No plot will be allocated until all such amounts have been paid and if any amounts payable by an allottee are not paid when and as due, his or her right to an allotment will cease and the plot will be treated as vacant. Payment for allotments must be made by direct debit quarterly in advance.
6. Allottees shall, in case of disagreements between them with any matter relating to these Rules, treat decisions of the Committee as final and binding.
7. Allottees shall comply in all respects with all regulations from time to time made by the Committee whether in addition to or instead of any of the matters covered by these Rules.
8. Any changes to the rules must be approved by the Committee.
9. Allottees shall use their allotments only for the cultivation of vegetables, flowers, herbs and fruit for domestic consumption by himself/herself, family and friends.
10. Allottees shall not obstruct any path set out for the use of the occupiers of the allotments. Each allottee shall be responsible for, and must keep, the path or boundary between allotments neat and tidy.

11. Allottees shall cultivate their respective allotments in a satisfactory manner and shall keep them free from weeds.
12. Any trees planted on plots must be in accordance with the Allotments Act. Before planting any fruit trees or fruit bearing bush which require more than 12 months to mature on any plot, the height and siting of the tree(s) must have the prior approval of the Allotments Committee. Any trees planted on an allotment should normally be planted on the south side of the allotment or sited on the plot where they will not cast shadow on neighbouring allotments. The maximum height of any tree will be restricted to three metres.
13. Allottees shall not bring on to the site any refuse or rubbish to store or burn.
14. Allottees shall not store any household equipment, or building materials including wood, on the allotment or on the allotment site.
15. Allottees shall not remove from the allotment to any other part of the site any material whatsoever, but shall dig in or compost all weeds, rubbish and waste products. No burning of material is permitted on site.
16. Allottees shall not bring or permit any vehicle to be brought on to the allotment site without the permission of the Committee. Any permitted use of vehicles will not include use on areas other than the designated car park.
17. No allottee may erect a shed, greenhouse or other structure without the sanction of the Committee. All structures erected with the permission of the Committee must be kept in good order and must be removed on termination of the allottee's tenancy plot and ensure any injury caused by such removal is made good.
18. All sheds and greenhouses must be sited on the north east corner of the plot in a north to south alignment. All sheds shall be painted or stained in a dark brown or dark green colour and shall not exceed 2.39m x 1.79m and for greenhouses 2.96m x 2.77m. A maximum of one shed and one greenhouse is permitted per allotment.
19. Allottees shall not keep any livestock of any kind, including poultry, on the allotment. Any bee hives shall be located only in such places as the Committee from time to time specifies.
20. Allottees shall not bring dogs or other animals onto the allotment site.
21. Allottees shall plant and maintain neat and tidy hedges for their allotments in accordance with the Committee's requirements and not erect any fencing (other than a windbreak in accordance with the committee's requirements) or barbed wire on the allotments.
22. Allottees shall ensure that the plot number allocated to them is kept in good condition and clearly displayed.
23. Allottees shall take proper precautions for the security of their allotments and the allotment site and in particular the last to leave the site shall make sure that the gate is locked and any mains water stopcock is turned off.

24. As and when water is supplied to the allotment site no hosepipes shall be attached to any standpipes (other than a short hosepipe for general use to facilitate the filling of watering cans). The use of sprinklers is forbidden.
25. Allottees must inform the Committee of any change of name or address.
26. All allottees must behave with due consideration to other allottees, the owners and occupiers of adjoining properties and their visitors, and the general public and, in particular, shall not cause any nuisance of any sort including the playing of radios.
27. Allottees must not assign, sublet or transfer all or any part of their allotment without the Committee's written permission.
28. The sum of any allotment holding by any one member, whether on one plot or by divided plots, shall not exceed 40 poles.
29. The Committee reserves the right to alter or adjust plot dimensions and layout of plots subject to any planning approvals.
30. Allotment rent charges and annual membership fees shall be payable quarterly in advance.
31. In the event of termination of an allottee's holding of a plot by the Committee, the allottee will be entitled at any time within twenty one days after the termination of the tenancy to remove any crops growing on the allottee's plot. The allottee will be entitled to remove any fruit trees or bushes provided and planted by the allottee before the termination of the tenancy provided any injury caused by such removal is made good.
32. Under S17 of the Allotments Act 1928, any person who, by any act done, without lawful authority, or by negligence, causes damage to any allotment or any crops, fences or building thereon, shall be liable on summary conviction at the suit of the local authority or any officer of police, or of the tenant of such allotment, to a penalty not exceeding £1,000.
33. The Committee has limited insurance only. Whilst it accepts liability for death or personal injury and damage to property resulting from its negligence (in the case of property damage up to the limit stated in its insurance policy which may be inspected on request to the Committee), each allottee must bear all other risks of loss or damage to any property (including that of the allottee), any injury to or death of any person (including the allottee) and any claims by any person and should consider insuring accordingly.

These **Rules** have been considered and adopted by the Allotment Committee for the governance of the allotments and allotment holders made this 28<sup>th</sup> day of May 2010.